

**Notice of Allowability****Application No.**

10/591,113

**Examiner**

GAUTAM PRAKASH

**Applicant(s)**

KHOURI ET AL.

**Art Unit**

1775

**- The MAILING DATE of this communication appears on the cover sheet with the correspondence address-**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Supplemental Response under 37 C.F.R. § 1.114 filed 20 December 2011.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 1,3,4 and 17-32.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 20111222.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_.

/Nathan A Bowers/  
Primary Examiner, Art Unit 1775

/G. P./  
Examiner, Art Unit 1775

## **DETAILED ACTION**

### ***Continued Examination Under 37 C.F.R. § 1.114***

1. A Request for Continued Examination (RCE) under 37 C.F.R. § 1.114, including the fee set forth in 37 C.F.R. § 1.17(e), was filed in this application after the Final Office action mailed 21 September 2011. Since this application is eligible for continued examination under 37 C.F.R. § 1.114, and the fee set forth in 37 C.F.R. § 1.17(e) was timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 C.F.R. § 1.114. Applicant's submissions filed on 09 November 2011 and 20 December 2011 have been entered.

### ***Withdrawn Objections and Rejections***

2. The rejection of claims 1, 3, 4, 27 to 32, and 34 under 35 U.S.C. § 112, second paragraph, as being indefinite.
3. The rejection of claims 1, 3, 4, 27 to 32, and 34 under 35 U.S.C. § 103(a) as being unpatentable over Smith *et al.* (U.S. Pat. Appl. Pub. No. 2002/0071336) in view of Ronay (U.S. Pat. Appl. Pub. No. 2005/0042976).
4. The rejection of claims 17 to 26 under 35 U.S.C. § 103(a) as being unpatentable over Smith *et al.* (U.S. Pat. Appl. Pub. No. 2002/0071336) in view of Ronay (U.S. Pat. Appl. Pub. No. 2005/0042976) and further in view of Rodgers (WO 01/26871).

### ***Reasons for Allowance***

5. Smith *et al.* (U.S. Pat. Appl. Pub. No. 2002/0071336), Ronay (U.S. Pat. Appl. Pub. No. 2005/0042976), and Rodgers *et al.* (WO 01/26871) represent the closest prior art. However the combination of these references does not render obvious a mixing drum with a wall made up of

first and second helical elements joined at a seam, with a first and second ramps formed in the interior of the drum and adjacent to the seam, wherein the interior of the drum is coated with a polymer containing polyurethane, which is infused with a slip agent that is either polytetrafluoroethylene powder or a polyalpha olefin liquid at 2 wt.% to 5 wt.% of the polymer.

6. Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

### *Conclusion*

Claims 1, 3, 4, and 17 to 32 are allowed. Claims 2, 5 to 16, and 58 were cancelled in the Reply and Amendment under 37 C.F.R. § 1.111 filed 12 September 2011 and claims 33 to 57 were cancelled in the Supplemental Amendment under 37 C.F.R. § 1.114 filed 20 December 2011.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GAUTAM PRAKASH whose telephone number is 571-270-3030. The examiner can normally be reached on Monday, Tuesday, Thursday, and Friday from 8:30 am to 7:00 pm, Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Marcheschi can be reached on 571-272-1374. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

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may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, please contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, please call 800-786-9199 (in USA or CANADA) or 571-272-1000.

/G.P./

Examiner, Art Unit 1775

/Nathan A Bowers/

Primary Examiner, Art Unit 1775